

REMARKS

A. Status of the Application

- Claims 18 to 34 and 69 to 119 are pending in the application, of which claims 18, 69, 86 and 103 are independent claims.
- Claims 1 to 17 and 35 to 68 are cancelled.
- Claims 18 to 34 are amended.
- Claims 69 to 119 are added. No new matter has been introduced.

Accordingly, entry of the amendments and new claims are respectfully requested. Applicants have added and amended the claims to recite particular embodiments that Applicants, in their business judgment, have determined to be commercially desirable at this time.

Applicants intend to pursue the subject matter of the previously cancelled claims, in one or more continuing applications.

B. Rejections Under 35 U.S.C. §102 and §103

On page 2, the Office Action rejected claims 1, 2, 5, 16 to 19, 22, 33 to 36, 39, 50 to 53, 56, 67 and 68 under 35 U.S.C. § 102(e) over U.S. Patent No. 5,970,470 (“Shepherd”). On page 3, the Office Action rejected dependent claims 3, 4, 6 to 15, 20, 21, 23 to 37, 38, 40 to 49, 54, 55 and 57 to 66 under 35 U.S.C. § 103(a) over Shepherd in view of U.S. Patent No. 6,629,082 (“Hambrecht”).

The Office Action's rejections are moot in view of Applicants' claim amendments.

Furthermore, the Office Action has not made a *prima facie* case of anticipation or obviousness in any of the claims.

For example, the cited portions of Shepherd and Hambrecht do not describe, "*storing a plurality of bid requests for a trading product, in which each bid request is submitted by a trader or a market center and each bid request comprises a bid price and a bid quantity,*" and "*calculating a remaining quantity balance for the trading order; and storing a second bid request for the trading product, in which the second bid request comprises the bid price and the remaining quantity balance,*" as in Applicants' independent claims 18, 69 and 86. Nor do the cited portions of Shepherd and Hambrecht describe, "*storing a plurality of offer requests for a trading product, in which each offer request is submitted by a trader or a market center and each offer request comprises an offer price and an offer quantity,*" and "*calculating a remaining quantity balance for the trading order; and storing a second offer request for the trading product, in which the second offer request comprises the offer price and the remaining quantity balance,*" as in Applicants' independent claim 103.

Therefore, the Office Action has failed to state a *prima facie* case of anticipation for claims 18, 69, 86 and 103.

C. General Comments on Dependent Claims

Each dependent claim is patentable for at least the same reasons as the independent claim on which it depends. Thus, Applicant believes that it is unnecessary at this time to argue the allowability of each dependent claim individually. However, Applicant does not necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor does Applicant concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicant reserves the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

D. Conclusion

In general, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as a concession of any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at (857) 413-2056.

Respectfully submitted,

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